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101769-116 / tesa AG 1508-KGB
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : ACHIM FRANCK ET AL.
SERIAL NO. : 09/997,061
FILED : November 29, 2001
FOR : REDETACHABLE DEVICE
ART UNIT : 1772
EXAMINER : N. Ahmad

RECEIVED
OCT 23 2003
TC 1700

October 21, 2003

Hon. Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

SIR:

Pursuant to 37 CFR §§ 1.56, 1.97 and 1.98, Applicants respectfully request that the Examiner consider the references listed on the attached Form PTO-1449.

I. Timeliness, Fees and Certifications in lieu of Fees

- ☐ A. This information disclosure statement is being filed within three months of the filing date of the application, or within three months of entry into the national stage, or before the mailing of a first Office Action on the merits. Pursuant to 37 CFR § 1.97(b), consideration of this information disclosure statement does not require a fee or a statement under 37 CFR § 1.97(e). However, should the Assistant Commissioner determine that a fee is, in fact, due, the Assistant Commissioner is hereby authorized to charge the fee to Deposit Account No. 14-1263.

- ☒ B. This information disclosure statement is being filed after the period in A above, but before the mailing of either a final action or a notice of allowance.

Pursuant to 37 CFR § 1.97(c), consideration of this information disclosure statement requires a fee or a statement under 37 CFR § 1.97(e):

- ☒ 1. The Assistant Commissioner is hereby authorized to charge the fee set forth in 37 CFR § 1.17(p) to Deposit Account No. 14-1263.
- ☐ 2. Applicants hereby state that each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.
- ☐ 3. Applicants hereby state that no item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign patent application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 37 CFR § 1.56 more than three months prior to the filing of this information disclosure statement.
- ☐ C. This information disclosure statement is being filed after the period specified in B above, but on or before the payment of the issue fee. Pursuant to 37 CFR § 1.97(d), consideration of this information disclosure statement requires a petition, which Applicants hereby request, and payment of the petition fee, which is set forth in 37 CFR § 1.17(i), and which the Assistant Commissioner is hereby authorized to charge to Deposit Account No. 14-1263. Consideration of

this information disclosure statement also requires a statement under 37 CFR § 1.97(e):

- ☐ 1. Applicants hereby state that each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.
- ☐ 2. Applicants hereby state that no item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign patent application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 37 CFR § 1.56 more than three months prior to the filing of this information disclosure statement.

II. Copies of Listed References

- ☒ A. Copies of all references listed on the attached Form PTO-1449 are being supplied.
- ☐ B. Copies of all references listed on the attached Form PTO-1449 have already been supplied during the prosecution of prior application Serial No. _____, filed _____, from which the present application claims priority pursuant to 35 USC § 120. Therefore, pursuant to 37 CFR § 1.98(d), copies of the references listed on the attached Form PTO-1449 are not now being supplied.
- ☐ C. This application is a PCT national stage application, all references listed on the attached Form PTO-1449 were cited in the international search report, and PCT/DO/EO/903 indicates that both the international search report and the copies

of the references listed on the attached Form PTO-1449 are in this national stage file. Therefore, copies of the references listed on the attached Form PTO-1449 are not now being supplied.

III. Concise Statement of Relevance

- ☐ A. All references listed on the attached Form PTO-1449 are in the English language, and, therefore, a concise statement of relevance is not required.
- ☒ B. A concise statement of the relevance of all references listed on the attached Form PTO-1449 that are *not in the English language*, is being provided below:
- EP 0 839 987 A1: Abstract is enclosed.
- EP 1 101 428 A1: Abstract is enclosed.
- EP 0832 588 A2: English-language equivalent is U.S. Patent No. 6,136,397.
- ☐ C. All references listed on the attached Form PTO-1449 were cited in the partial search report issued by the European Patent Office and/or the International search report, and an English-language version of the search reports, which indicates the degree of relevance found by that Patent Office, are attached.
- ☐ D. This application is a PCT national stage application, all references listed on the attached Form PTO-1449 were cited in the international search report, and a copy of that search report, which indicates the degree of relevance found by the International Search Authority, is attached.
- ☐ E. All listed on the attached Form PTO 1449 were cited during the prosecution of the prior application indicated above under II.B.

IV. Additional Information

- ☐ A. In addition to the references listed on the attached Form PTO-1449, Applicants wish to bring to the attention of the Examiner the following abandoned or co-pending U.S. patent applications:

[Pursuant to 37 CFR § 1.98(a)(2)(iii), copies of these applications are not being submitted.]

- ☐ B. In addition of the references listed on the attached Form PTO-1449, Applicants wish to bring to the attention of the Examiner the information provided on the attached sheet.

Application No: 09/997,061
Applicants: ACHIM FRANCK ET AL.
Information Disclosure Statement

Consideration of the foregoing in relation to this application is respectfully requested.

Respectfully submitted,

NORRIS McLAUGHLIN & MARCUS, P.A.

By 

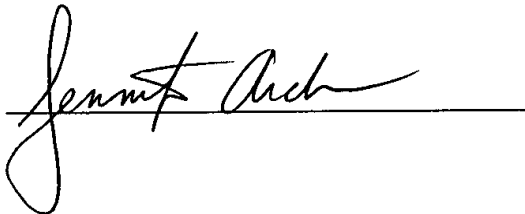
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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Services as first class mail in an envelope addressed to: Hon. Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 21, 2003.

NORRIS McLAUGHLIN & MARCUS, P.A.

By 



OFFICE OF PATENTS AND PUBLICATIONS
APPLICANT'S INFORMATION
DISCLOSURE STATEMENT
(Form PTO-1449 Modified)

Attorney Docket:
101769-116/ tesa AG 1508

Serial No.
09/997,061

Applicant:
Achim Franck et al.

Filing Date:
November 29, 2001

Group:
1772

U.S. PATENT DOCUMENTS

| Examiner's Initial | | Document Number | | | | | | | Date | Name | Class | Sub Class | Filing Date If appropriate |
|--------------------|----|-----------------|---|---|---|---|---|---|-------------|----------------|-------|-----------|----------------------------|
| | AA | 6 | 1 | 3 | 6 | 3 | 9 | 7 | 24 Oct 2000 | Luhmann et al. | 428 | 40.1 | |
| | AB | 5 | 9 | 1 | 3 | 4 | 8 | 0 | 22 Jun 1999 | Luhmann et al. | 24 | 304 | |
| | AC | 5 | 9 | 6 | 7 | 4 | 7 | 4 | 10 Oct 1999 | doCanto et al. | 248 | 205.3 | |
| | AD | | | | | | | | | | | | |
| | AE | | | | | | | | | | | | |
| | AF | | | | | | | | | | | | |
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| | AJ | | | | | | | | | | | | |
| | AK | | | | | | | | | | | | |

FOREIGN PATENT DOCUMENTS

| | | Document Number | Date | Country | Class | Sub Class | Translation | |
|--|----|-----------------|-------------|---------|-------|-----------|-------------|----|
| | | | | | | | Yes | No |
| | AL | 1 101 428 A1 | 23 May 2001 | Europe | | | √ | |
| | AM | 0 832 588 A2 | 1 Apr 1998 | Europe | | | | |
| | AN | 01 34717 A1 | 17 May 2001 | World | | | | |
| | AO | 0 839 987 A1 | 6 May 1998 | Europe | | | | |
| | AP | | | | | | | |

OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

| | | |
|--|----|---|
| | AR | Abstract of EP 0839987 from EPO website database. |
| | AS | Abstract of EP 1101428 from EPO website database. |
| | AT | |
| | AU | |
| | AV | |
| | AW | |

EXAMINER:

DATE CONSIDERED: **TC 1700**

- **EXAMINER:** Initial if Reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformation and not considered, include copy of this form with next communication to applicant.
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OCT 28 2003